

(2011) 03 UK CK 0078

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application (C-482) No. 194 of 2011

Shravan Kumar Singhal

APPELLANT

Vs

CBI and Asstt. General Manager Central Bank of India

RESPONDENT

Date of Decision : 01-03-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482

Penal Code, 1860 (IPC) — Section 120B, 420, 467, 468, 471

Prevention of Corruption Act, 1988 — Section 13(1), 13(2), 19

Citation : (2011) 03 UK CK 0078

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Prafulla C. Pant, J.—Heard.

2. By means of this petition, moved u/s 482 of Code of Criminal Procedure, 1973 (for short Cr.P.C.), the Petitioner has sought quashing of the proceedings of CBI Case No. 16 of 2010, State v. Satish Kumar Gupta and others, relating to offences punishable u/s 120-B, 420, 467, 468, 471 of I.P.C., and one punishable u/s 13(1)(d) read with Section 13(2) of Prevention of Corruption Act, 1988, pending in the court of Special Judge (CBI), Dehradun.

3. Learned Counsel for the Petitioner argued that the Petitioner is innocent. He referred to several documents on record. However, all the points raised are factual in nature, which cannot be examined by this Court, in its jurisdiction u/s 482 of Code of Criminal Procedure. The plea of innocence can be seen by the trial court at the time of trial. Also, it is pertinent to mention here that Sub-section (3) of Section 19 of Prevention of Corruption Act, 1988, bars stay of the impugned proceedings.

4. In the above circumstances, without expressing any opinion as to the final merits of the case, this Court is not inclined to interfere with the trial of the case.

5. Therefore, the petition u/s 482 of Code of Criminal Procedure is dismissed summarily with the observation that if the Petitioner Shravan Kumar Singhal surrenders before the court concerned, his bail application shall be heard and disposed of without unreasonable delay.